

#### Fish and Game Council

Details of the proposal have been provided to the Wellington Fish and Game Council along with a copy of the draft ecological assessment report as per Appendix D of this application, and HDC's consultant planner has met with the Fish and Game Council's Resource Officer to provide background information and discuss the project.

#### Horizons Regional Council – Rivers Management Team

Details of the proposal have been provided to the Horizons Regional Council – Rivers Management Team and HDC's consultant planner has met with the Area Engineer responsible for the Ohau-Manakau River and Drainage Scheme. The Area Engineer advised that there were no scheme assets which would be affected by the proposal and agreed that the proposed pipe bridge (being a single span at the same height as the existing road bridge) would not affect the flood carrying capacity of the river.

#### Waka Kotahi

The applicant has actively engaged with Waka Kotahi in the preparation of this application as far as it relates to the use of water to support the construction of the Otaki to North Levin (O2NL) road. This engagement has been to ensure that there is efficient use and allocation of water by enabling the council to seek appropriate consents to secure the medium to long term supply for the community whilst also ensuring that allocated water is able to be used efficiently in the short term via use for the construction of the O2NL road, being infrastructure of regional or national importance under Policy 3-1 of the One Plan.

#### Neighbouring Properties

The properties directly adjacent to the sites of works that are not owned by the Applicant, include Lot 3 DP 555714 which is adjacent to the pipe bridge site on the downstream side. This property was sold via a subdivision process undertaken by HDC in 2021, and is subject to a no objection clause (by way of a covenant on the title) regarding HDC establishing a water storage facility on the adjacent land. The pipe bridge is an associated activity and is one that is permitted by the network utility provisions of the District Plan. Any effects on the adjacent property associated with the pipe bridge will be temporary in nature and construction related and it is considered that any such effects will be minor or less than minor.

The site adjacent to the property on which the intake structure will be located is Lot 1 DP 63053. Again, the effects of the intake structure on this property will be temporary and construction related and are considered to be minor or less than minor.

## 12 ADDITIONAL POLICY CONSIDERATIONS

### 12.1 Section 104 Matters

Section 77M of the Act relating to Medium Density Residential Standards is not relevant to the proposed activities.

The following sections provide consideration of the relevant matters set out in section 104 RMA, to assist in the consideration and determination of the Application.

#### Section 104(1)(a) Any actual and potential effects on the environment of allowing the activity

The actual and potential effects of the proposed activities are addressed in detail in section 9 of this Application.

Section 104(1)(ab) Any measure proposed or agreed by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity

The Applicant acknowledges that the proposed taking of water from the Ōhau River will have an effect on the River in the sense that it does not enable the River to be retained in its natural state, albeit that takes of the volumes proposed are already consented (ie the River is already not in its natural state). Additionally, the proposed intake structure will have an effect on the bed of the River, especially during construction and likewise the Reservoir will have an effect on the existing environment in the sense that it is large scale infrastructure being introduced into an environment where this does not currently exist. As set out in section 9 of this Application, it is considered that the proposed operational framework for the water take and the scope of the proposed physical works have been set out in such a way so as to avoid significant adverse environmental effects and that effects that do arise will be remedied or mitigated to the extent possible. Further, the overall effects of the project will be significantly beneficial in terms of reducing existing effects on the River and providing resilience improvements for the water supply network.

Additionally, the Applicant recognises that there is an opportunity to enhance the existing environment in the area near the new intake structure and the Reservoir, and is proposing to undertake riparian plantings and stock exclusion activities in this area, subject to discussion and agreement with iwi and subject to the outcomes of any Cultural Impact Assessment. These activities are not ones for which consent is sought by way of this Application, and they are not offsetting or compensation activities as such. However, it is considered that they will assist in ensuring overall positive effects on the environment as a result of the proposed new large scale infrastructure.

#### Section 104(1)(b)(i) Any relevant provisions of a national environmental standard

There are three National Environmental Standards (NES) that are potentially relevant to this application.

##### National Environmental Standard for Sources of Drinking Water 2007.

The activities will obviously occur upstream and in close proximity to a drinking water source. However, given that the Applicant is the drinking water supplier and that the activities are for drinking water supply purposes, they are not activities that are encompassed by regulations 7, 8, 10 or 12 of the NES and therefore it does not apply. There are no other drinking water supply takes downstream of the proposed activities that trigger the regulations of the NES Drinking Water.

##### National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

The NESCS is potentially relevant to the construction (land use) aspects of the proposal given that disturbance is required. There is however no indication that the areas where the intake is proposed nor the pipe bridge are contaminated (this would be unexpected given their location in the bed of the River). If any evidence of contamination were to be discovered as part of the detailed design and preparatory works for the construction of the Reservoir, consent from the District Council could and would be sought under the NESCS at that time.

##### National Environmental Standard for Freshwater 2020

The proposed activities do not trigger any consent under the NES in relation to wetlands. This was a specific consideration of the ecological assessment undertaken, and as confirmed within the information included at Appendix F, there are no wetlands as defined in the NES that would be affected.

There are no other consenting requirements under the NES Freshwater, noting that one of the reasons that a subsurface intake was chosen for the proposal was to avoid on-going effects on fish passage. There are potential temporary impacts during construction, which will be managed via a diversion channel as needed and as described in detail previously.

#### Section 104(1)(b)(ii) Any relevant provisions of other regulations

The Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 are relevant to the proposed water take given that the proposal is for fresh water to be taken at a rate of more than 5 litres/second. The Applicant would expect that the standard conditions relating to measurements, records and reporting would be imposed on any grant of consent.

There are no other regulations that are relevant to the assessment and determination of the Application.

#### Section 104(1)(b)(iii) Any relevant provisions of a national policy statement

##### National Policy Statement for Freshwater Management 2023

The NPSFM requirement to give effect to Te Mana o te Wai is a key driver for the project, as set out in detail in section 5 of this Application. It is considered that the proposal clearly gives effect to the Objective of the NPSFM23, by prioritising the health and wellbeing of the Ōhau River first and foremost by reducing existing effects and decoupling supply and demand thereby reducing pressure on the awa, and secondly prioritises the drinking water health needs of people. The provision of a resilient and reliable supply is important in ensuring the ability of people and communities to provide for their wellbeing, as a third priority.

Additional consideration of the policies of the NPSFM23 is set out below.

**Table 12.1: NPSFM23 Policy Assessment**

NPSFM23 Policy	Assessment
<b>Policy 1:</b> Freshwater is managed in a way that gives effect to Te Mana o te Wai	Refer section 5 of this application.
<b>Policy 2:</b> Tangata whenua are actively involved in freshwater management (including decision making processes), and Māori freshwater values are identified and provided for.	This policy is being met by way of on-going engagement with tangata whenua and treaty partners in relation to the project and the provision of this draft for input and CIA/CVA.
<b>Policy 3:</b> Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.	This policy is met through the robust options assessment included in this application, the integration of the proposal with land use planning initiatives and strategies and the hydrology and effects assessments included herein.
<b>Policy 4:</b> Freshwater is managed as part of New Zealand's integrated response to climate change.	One of the key drivers for the project is to increase resilience to climate change, as set out in section 5.
<b>Policy 5:</b> Freshwater is managed (including through a National Objectives Framework) to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.	The health and well being is considered able to be maintained in the carrying out of the proposed activities.

NPSFM23 Policy	Assessment
<b>Policy 6:</b> There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.	There will be no loss of natural inland wetlands as a result of the proposed activities.
<b>Policy 7:</b> The loss of river extent and values is avoided to the extent practicable.	It is considered that there will be no loss of river extent and values as a result of the proposed activities, subject to CIA/CVA
<b>Policy 8:</b> The significant values of outstanding water bodies are protected.	Whilst the Ōhau River is not an 'outstanding water body' in terms of the Regional Plan, its significance to tangata whenua and communities in the area is recognised. Subject to CIA/CVA, it is considered that the intrinsic values of the River will continue to be able to be expressed and that its significance will not be compromised by the proposed activities.
<b>Policy 9:</b> The habitats of indigenous freshwater species are protected.	On going effects on habitats are able to be avoided through use of a subsurface intake rather than an alternative arrangement; Construction effects are able to be appropriately mitigated including replacement of removed vegetation with indigenous species; and the proposed water take is within the core allocation framework for the water body, other than exceptional circumstances. It is considered that the habitats of indigenous freshwater species are able to be protected in the carrying out of the proposed activities, in accordance with this policy.
<b>Policy 10:</b> The habitat of trout and salmon is protected, insofar as this is consistent with Policy 9.	Effects of the proposed activities on these habitats will be less than minor and the application is consistent with this policy.
<b>Policy 11:</b> Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.	As set out in detail within this Application, the Regional water management framework has been a key driver for this application, and particularly the core allocation and supplementary allocation provisions. The proposal does not include an activity that would constitute over allocation and is considered to be an efficient use of water and therefore consistency with this policy is achieved.
<b>Policy 12:</b> The national target (as set out in Appendix 3) for water quality improvement is achieved.	The proposed discharges will have less than minor effects that will not affect the national target for water quality improvement. Likewise, the proposed takes will not contribute to an inability to achieve this target.
<b>Policy 13:</b> The condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.	This proposal is not of specific relevance to the proposed activities.
<b>Policy 14:</b> Information (including monitoring data) about the state of water bodies and freshwater ecosystems, and the challenges to their health and well-being, is regularly reported on and published.	This proposal is not of specific relevance to the proposed activities
<b>Policy 15:</b> Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.	It is considered that the proposal contributes to the ability for this policy to be carried out.

#### National Policy Statement for Urban Development 2020

The NPSUD20 is relevant as a key policy driver in terms of the need to be apply to supply Levin and surrounds with additional water, as discussed within section 5 of this Application. There are no specific considerations in terms of the proposed physical works under this NPS.

#### National Policy Statement for Highly Productive Land 2022

The NPS Highly Productive Land 2022 is not of specific relevance to the proposal because the location of the proposed activities is not on land that is classified as 'highly productive' for the purpose of this NPS. It is noted that the NPS also specifically exempts, at Clause 3.9(2)(h), activities by requiring authorities in relation to a designation or notice of requirement under the Act. The proposed reservoir is the activity that would potentially affect productive land uses and it comes under this exemption given that Horowhenua District Council is seeking to designate the site.

#### Section 104(1)(b)(iv) Any relevant provisions of the New Zealand coastal policy statement

The NZCPS is not relevant to the consideration of this Application.

#### Section 104(1)(b)(v) Any relevant provisions of a regional policy statement or proposed regional policy statement

**Table 12.2: Regional Policy Statement Assessment**

RPS Provision	Comment/Assessment
<b>Chapter 2 Te Ao Māori</b>	
<b>Objective 2-1: Resource Management</b> a. To have regard to the mauri of natural and physical resources to enable hapū and iwi to provide for their social, economic and cultural wellbeing. b. Kaitiakitanga must be given particular regard and the relationship of hapū and iwi with their ancestral lands, water, sites, wāhi tapu and other taonga (including wāhi tūpuna) must be recognised and provided for through resource management processes.	[Sections will be completed after iwi and hapū review of the draft application and undertaking of CVA].
<b>Policy 2-1: Hapū and iwi involvement in resource management</b> The Regional Council must enable and foster kaitiakitanga and the relationship between hapū and iwi and their ancestral lands, water, sites, wāhi tapu and other taonga (including wāhi tūpuna) through increased involvement of hapū and iwi in resource management processes including: a. ... b. recognition of existing arrangements and agreements between resource users, local authorities and hapū or iwi. c. ... d. ... e. ... f. ... g. the Regional Council having regard to iwi management plans lodged with Council.	[Sections will be completed after iwi and hapū review of the draft application and undertaking of CVA].

RPS Provision	Comment/Assessment
h. involvement of hapū or iwi in resource consent decision-making and planning processes in the ways agreed in the memoranda of partnership and joint management.	
<p><b>Policy 2-2: Wāhi tapu, wāhi tūpuna and other sites of significance</b></p> <p>(a) Wāhi tapu, wāhi tūpuna and other sites of significance to Māori identified:</p> <ul style="list-style-type: none"> <li>i. In the Regional Coastal Plan and district plans,</li> <li>ii. as historic reserves under the Reserves Act 1977,</li> <li>iii. as Māori reserves under the Te Ture Whenua Māori Act 1993,</li> <li>iv. as sites recorded in the New Zealand Archaeological Association's Site Recording Scheme, and</li> <li>v. as registered sites under the Historic Places Act 1993.</li> </ul> <p>must be protected from inappropriate subdivision, use or development that would cause adverse effects on the qualities and features which contribute to the values of these sites.</p> <p>(c) Potential damage or disturbance (including that caused by inappropriate subdivision, use or development) to wāhi tapu, wāhi tūpuna and other sites of significance to Māori not identified (for confidentiality and sensitivity reasons) by hapū or iwi under (a), above, must be minimised by the Regional Council facilitating the compilation of databases by hapū and iwi to record locations which need to remain confidential.</p> <p>(d) The Regional Council must ensure that resource users and contractors have clear procedures in the event wāhi tapu or wāhi tūpuna are discovered.</p>	<p>[Include during iwi and hapū review of application and/or as identified in CIA/CVA].</p>
<p><b>Policy 2-3: The mauri of water</b></p> <p>(a) The Regional Council must have regard to the mauri of water by implementing Policy 2-1 (a) to (i) above and by restricting and suspending water takes in times of minimum flow consistent with Policy 5-18 in Chapter 5.</p>	<p>[Sections will be completed after iwi and hapū review of and input on the draft application and undertaking of CIA/CVA].</p>
<p><b>Mauri</b></p> <p><i>Wai Māori (pure water) is essential to hapū and iwi in the Region to ensure activities conducted for cultural purposes, such as spiritual cleansing, baptismal rituals and food gathering, are achievable. He mea nui te Wai-Māori ki ngā hapū me ngā iwi o te Rohe kia hua ai ka taea te whakatutuki i ngā mahi tikanga Māori pērā i te whakanoa, te tohi, me te kohikohi kai.</i></p> <p><i>Mauri acts as a balancing agent to ensure the lifesupporting qualities within the water are maintained. Ko tā te Mauri he whakatautika kia hua ai ka puritia tonutia ngā āhuatanga tuku oranga o te wai.</i></p> <p><i>Human activities, application of impure agents, loss of water capacity, and contaminants all affect the ability of the mauri to perform its role effectively, therefore resulting in a standard of water not suitable for hapū and iwi to perform their relevant tikanga Māori or cultural activities associated with its use. Ka pāngia kinotia te mauri me tōna āhei ki te whakatutuki pai i tōna kaupapa e te mahi a te tangata me te whakamahi mea paruparu, te mimiti o te wai hoki, me te uru mai o ngā paru kino. Ko te hua he wai kāore i te pai ki ngā hapū me ngā iwi hei whakatutuki i ō rātou tikanga e pā ana ki te whakamahi i te wai.</i></p>	

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<b>Policy 2.4 Resource issue of significance to hapū and iwi</b> (a) Management of water quality and quantity throughout the Region does not provide for the special qualities significant to Māori. (d) Access to and availability of clean water to exercise cultural activities such as food gathering and baptismal rituals have diminished.	[Sections will be completed after iwi and hapū review of and input on the draft application and undertaking of CIA/CVA].
<b>Chapter 3 Infrastructure, Energy, Waste, Hazardous Substances and Contaminated Land</b>	
<b>Objective 3-1: Infrastructure and other physical resources of regional or national importance</b> Have regard to the benefits of infrastructure and other physical resources of regional or national importance by recognising and providing for their establishment, operation, maintenance and upgrading.	The Levin Water Supply System and Network is identified as being regionally important under Policy 3-1(a)(ix) of the RPS. The benefits of the proposal include the ability to provide safe and reliable access to clean drinking water, whilst reducing effects on the Ōhau River. It is considered that this objective is an important aspect of the decision making framework for the Application and that the benefits of the proposal need to be afforded due weight in the assessment and determination of the Application.
<b>Objective 3-3: The strategic integration of infrastructure with land use</b> Urban development occurs in a strategically planned manner which allows for the adequate and timely supply of land and associated infrastructure.	One of the key drivers for the proposal is to ensure that adequate water supply quantity is available for Levin in accordance with projected growth, and to support residential zoning and housing supply initiatives by the Council. The project clearly contributes to the strategic and well planned delivery of infrastructure.
<b>Policy 3-1: Benefits of infrastructure and other physical resources of regional or national importance</b> (a) The Regional Council and Territorial Authorities must recognise the following infrastructure as being physical resources of regional or national importance: (ix) public water supply intakes, treatment plants and distribution systems (b) The Regional Council and Territorial Authorities must recognise the following facilities and assets as being physical resources of regional or national importance: (ii) existing flood protection schemes (c) The Regional Council and Territorial Authorities must, in relation to the establishment, operation, maintenance, or upgrading of infrastructure and other physical resources of regional or national importance, listed in (a) and (b), have regard to the benefits derived from those activities.	In the determination of this Application, the Levin Water Supply must be recognised as regionally important. The purpose of the proposed activities is to increase the resilience of this supply and lessen effects on the River, and it is considered that these objectives and policies clearly seek to enable this type of project.  It is noted that the subject area is within a flood control and drainage scheme as per Schedule B, and the potential effects of the proposal on this value have therefore been addressed, in consultation with Horizons Rivers Group.
<b>Policy 3-2: Adverse effects of other activities on infrastructure and other physical resources of regional or national importance</b> The Regional Council and Territorial Authorities must ensure that adverse effects on infrastructure and other physical resources of regional or national importance from other activities are avoided as far as reasonably practicable, including by using the following mechanisms:	It is considered that the consenting approach, as detailed in the introductory sections of this application, is well aligned with the intention of this policy in that there is certainty being sought by the Applicant to ensure that activities are undertaken in a way that is not at risk from other activities, particularly through the use of a designation and appropriate



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<p>(a) ensuring that current infrastructure, infrastructure corridors and other physical resources of regional or national importance, are identified and had regard to in all resource management decision-making, and any development that would adversely affect the operation, maintenance or upgrading of those activities is avoided as far as reasonably practicable,</p> <p>(b) ensuring that any new activities that would adversely affect the operation, maintenance or upgrading of infrastructure and other physical resources of regional or national importance are not located near existing such resources or such resources allowed by unimplemented resource consents or other RMA authorisations,</p> <p>(d) notifying the owners or managers of infrastructure and other physical resources of regional or national importance of consent applications that may adversely affect the resources that they own or manage.</p>	<p>agreements with landowners. Additionally, this is an important policy for implementation by the Regional Council in terms of ensuring that this Regionally Significant Infrastructure is not unduly restricted or affected by surrounding activities.</p>
<p><b>Policy 3-3: Adverse effects of infrastructure and other physical resources of regional or national importance on the environment</b></p> <p>In managing any adverse environmental effects arising from the establishment, operation, maintenance and upgrading of infrastructure or other physical resources of regional or national importance, the Regional Council and Territorial Authorities must:</p> <p>(a) recognise and provide for the operation, maintenance and upgrading of all such activities once they have been established,</p> <p>(b) allow minor adverse effects arising from the establishment of new infrastructure and physical resources of regional or national importance, and</p> <p>(c) avoid, remedy or mitigate more than minor adverse effects arising from the establishment of new infrastructure and other physical resources of regional or national importance, taking into account:</p> <ul style="list-style-type: none"> <li>(i) the need for the infrastructure or other physical resources of regional or national importance,</li> <li>(ii) any functional, operational or technical constraints that require infrastructure or other physical resources of regional or national importance to be located or designed in the manner proposed,</li> <li>(iii) whether there are any reasonably practicable alternative locations or designs, and</li> <li>(iv) whether any more than minor adverse effects that cannot be adequately avoided, remedied or mitigated by services or works can be appropriately offset, including through the use of financial contributions.</li> </ul>	<p>This Application demonstrates that the adverse effects on the environment of the proposal are limited, and that these have been avoided, remedied or mitigated to the extent possible. The overall effects on the environment of the proposal will be positive. The matters set out in (c), where relevant, are addressed within the application and it is considered that the proposal is consistent with Policy 3-3.</p>



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<p><b>Policy 3-4: The strategic integration of infrastructure with land use</b></p> <p>Territorial Authorities must proactively develop and implement appropriate land use strategies to manage urban growth, and they should align their infrastructure asset management planning with those strategies, to ensure the efficient and effective provision of associated infrastructure.</p>	<p>One of the key drivers for the proposal is to ensure that adequate water supply quantity is available for Levin in accordance with projected growth, and to support residential zoning and housing supply initiatives by the Council. The project clearly contributes to the strategic and well planned delivery of infrastructure. A robust alternatives assessment has been undertaken, and the proposal is considered to be consistent with this Policy.</p>
<b>Chapter 5 Water</b>	
<p><b>Objective 5-1: Water management Values</b></p> <p>Surface water bodies and their beds are managed in a manner which safe guards their life supporting capacity and recognises and provides for the Values in Schedule B.</p>	<p>The effects of the proposal on Schedule B values are specifically addressed in a previous section of the application. As detailed therein, it is considered that the proposal ensures that the life supporting capacity of the awa is safe guarded, and that the proposal recognises and provides for those values. It is therefore considered that the application achieves this objective.</p>
<p><b>Objective 5-2 Water quality</b></p> <p>(a) Surface water quality is managed to ensure that:</p> <ul style="list-style-type: none"> <li>(i) water quality is maintained in those rivers and lakes where the existing water quality is at a level sufficient to support the Values in Schedule B</li> <li>(ii) water quality is enhanced in those rivers and lakes where the existing water quality is not at a level sufficient to support the Values in Schedule B</li> <li>(iii) accelerated eutrophication and sedimentation of lakes in the Region is prevented or minimised (iv) the special values of rivers protected by water conservation orders are maintained.</li> </ul> <p>(b) Groundwater quality is managed to ensure that existing groundwater quality is maintained or where it is degraded/over allocated as a result of human activity, groundwater quality is enhanced.</p>	<p>There are potential effects of the proposed activities associated with construction activities, with the diversion and discharge of groundwater and the on-going effect of removing water from the River by abstraction. Construction effects will be temporary in nature, and along with groundwater diversion and discharge effects, are able to be appropriately managed by way of management plans and conditions of consent. The proposed new take regime is designed to reduce the need to take water at times of low flow and to reduce the effects of the take on the awa overall. For these reasons it is considered that the proposal achieves the water quality objectives.</p>
<p><b>Policy 5-1: Water Management Zones and Values</b></p> <p>For the purposes of managing water quality, water quantity, and activities in the beds of rivers and lakes, the catchments in the Region have been divided into Water Management Zones and Water Management Sub-zones in Schedule A.2</p> <p>Groundwater has been divided into Groundwater Management Zones in Schedule D.</p> <p>The rivers and lakes and their beds must be managed in a manner which safeguards their life supporting capacity and recognises and provides for the Schedule B Values when decisions are made on avoiding, remedying or mitigating the adverse effects of activities or in relation to any other function under the Resource Management Act 1991 exercised by the Regional Council or Territorial Authorities. The individual Values and their associated management objectives are set</p>	

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<p>out in the Schedule B Surface Water Management Values Key and repeated in Table 5.2.</p>	
<p><b>Policy 5-3: Ongoing compliance where water quality targets are met</b></p> <p>(a) Where the existing water quality meets the relevant Schedule E water quality targets within a Water Management Sub-zone, water quality must be managed in a manner which ensures that the water quality targets continue to be met beyond the zone of reasonable mixing (where mixing is applicable).</p> <p>(b) For the avoidance of doubt:</p> <ul style="list-style-type: none"> <li>(i) in circumstances where the existing water quality of a Water Management Sub-zone meets all of the water quality targets for the Sub-zone (a) applies to every water quality target for the Sub-zone</li> <li>(ii) in circumstances where the existing water quality of a Water Management Sub-zone meets some of the water quality targets for the Sub-zone (a) applies only to those water quality targets that are met</li> <li>(iii) for the purpose of (a) reasonable mixing is only applicable to a discharge from an identifiable location.</li> </ul>	
<p><b>Policy 5-6: Maintenance of groundwater quality</b></p> <p>(a) Discharges and land use activities must be managed in a manner which maintains the existing groundwater quality, or where groundwater quality is degraded/over allocated as a result of human activity, it is enhanced.</p> <p>(b) An exception may be made under (a) where a discharge onto or into land better meets the purpose of the RMA than a discharge to water, provided that the best practicable option is adopted for the treatment and discharge system.</p>	
<p><b>Objective 5-3: Water quantity and allocation</b></p> <p>Water quantity is managed to enable people, industry and agriculture to take and use water to meet their reasonable needs while ensuring that:</p> <p>(a) For surface water:</p> <ul style="list-style-type: none"> <li>(i) minimum flows and allocation regimes are set for the purpose of maintaining or enhancing (where degraded) the existing life-supporting capacity of rivers and their beds and providing for the other Values in Schedule B as appropriate</li> <li>(ii) takes and flow regimes for existing hydroelectricity are provided for before setting minimum flow and allocation regimes for other uses</li> <li>(iii) in times of water shortage, takes are restricted to those that are essential to the health or safety of people and communities, or drinking water for animals, and other takes are ceased</li> <li>(iv) the amount of water taken from lakes does not compromise their existing life-supporting capacity</li> </ul>	<p>This Application contains a comprehensive assessment of alternatives for supply and of the reasonable and justifiable need test, including water efficiency measures. There is no new core allocation being sought by way of this Application, and the new take regime is designed to lessen effects on the River. Despite the fact that the supplementary take is classified as a non-complying activity, it is an activity that is enabled under the Regional Policy Statement in terms of the directives to consider alternative sources including water storage and that supplementary allocation can be made available at times of high flow. Additionally, the provision of short term abstraction of water for construction of the Waka Kotahi Otaki to North Levin project contributes to efficiency in the allocation of water.</p>

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<p>(v) the requirements of water conservation orders are upheld</p> <p>(v) the instream geomorphological components of natural character are provided for.</p> <p>For the avoidance of doubt this list is not hierarchical.</p> <p>(b) ...</p> <p>(c) In all cases, water is used efficiently.</p>	<p>It is considered that the Application serves to achieve the Objective of the RPS in regard to the management of water quantity and serves to give effect to the intent of the Regional Policy Statement.</p>
<p><b>Policy 5-12: Reasonable and justifiable need for water</b></p> <p>Subject to Policy 5-18, the amount of water taken by resource users must be reasonable and justifiable for the intended use. In addition, the following specific measures for ensuring reasonable and justifiable use of water must be taken into account when considering consent applications to take water for irrigation, public water supply, animal drinking water, dairy shed washdown or industrial use, and during reviews of consent conditions for these activities.</p> <p>(d) For public water supplies, the following must generally be considered to be reasonable:</p> <ul style="list-style-type: none"> <li>i. an allocation of 300 litres per person per day for domestic needs, plus</li> <li>ii. an allocation for commercial use equal to 20% of the total allocation for domestic needs, plus</li> <li>iii. an allocation for industrial use calculated, where possible, in accordance with best management practices for water efficiency for that particular industry, plus</li> <li>iv. an allocation necessary for hospitals, other facilities providing medical treatment, marae, schools or other education facilities, New Zealand Defence Force facilities or correction facilities, plus</li> <li>v. an allocation necessary for public amenity and recreational facilities such as gardens, parks, sports fields and swimming pools, plus</li> <li>vi. an allocation necessary to cater for the reasonable needs of animals or agricultural uses that are supplied by the public water supply system, plus</li> <li>vii. an allocation necessary to cater for growth, where urban growth of the municipality is provided for in an operative district plan for the area and is reasonably forecast, plus</li> <li>viii an allocation for leakage equal to 15% of the total of (i) to (vii) above.</li> </ul>	<p>This Policy has been recognised as a key part of the planning framework for the Application. Appendix G includes a detailed Technical Memo that sets out an assessment of the proposal against this policy. As concluded therein, it is considered that the proposed water take regime constitutes a reasonable and justifiable use of water, taking into account all factors in Policy 5-12. It is considered that the project, and this Application, are consistent with this Policy.</p>
<p><b>Policy 5-13: Efficient use of water</b></p> <p>Water must be used efficiently, including by the following measures:</p> <ul style="list-style-type: none"> <li>(a) requiring water audits and water budgets to check for leakages and water-use efficiency as appropriate</li> <li>(b) requiring the use of, or progressive upgrade to, infrastructure for water distribution that minimises the loss of water and restricts the use of water to the amounts determined in accordance with Policy 5-12</li> </ul>	<p>This Application addresses the matter of the efficient use of water in detail, including improvements to the network and the Demand Management Strategy, and also providing short term supply for nationally important infrastructure. It is considered that the Applicant has and is addressing all matters set out in this Policy and it is noted with emphasis that this policy promotes the use of water storage. The Application is therefore clearly consistent with and enabled by this Policy.</p>

RPS Provision	Comment/Assessment
<ul style="list-style-type: none"> <li>(c) enabling the transfer of water permits</li> <li>(d) promoting water storage</li> <li>(e) raising awareness about water efficiency issues and techniques</li> <li>(f) requiring monitoring of water takes, including by installing water metering and telemetry.</li> </ul>	
<p><b>Policy 5-15: Core allocations and minimum flow</b></p> <ul style="list-style-type: none"> <li>(a) The taking of water<sup>^</sup> from rivers<sup>^</sup> must be managed in accordance with the minimum flows and cumulative core allocations set out in Schedule C.</li> <li>(b) The minimum flows and cumulative core allocations set out in Schedule C must be set after providing for any takes and flow regimes lawfully established for hydroelectricity generation as at 31 May 2007.</li> </ul>	<p>There is no new core allocation being sought by way of this application and the proposed activities continue to be consistent with the core allocation policies of the RPS.</p>
<p><b>Policy 5-17: Supplementary water allocation</b></p> <p>In addition to the core allocations set out in Policy 5-15, a supplementary allocation from rivers may be provided:</p> <ul style="list-style-type: none"> <li>(a) in circumstances where water is only taken when the river flow is greater than the median flow, and the total amount of water taken by way of a supplementary allocation does not exceed 10% of the actual flow in the river at the time of abstraction, and</li> <li>(b) in circumstances where it can be shown that the supplementary allocation will not: <ul style="list-style-type: none"> <li>(i) increase the frequency or duration of minimum flows</li> <li>(ii) lead to a significant departure from the natural flow regime, including the magnitude of the median flow and the frequency of flushing flows</li> <li>(iii) cause any adverse effects that are more than minor on the Schedule B Values of the water body or its bed</li> <li>(iv) limit the ability of anyone to take water under a core allocation</li> <li>(v) derogate from water allocated to hydroelectricity generation.</li> </ul> </li> </ul>	<p>Section 9.3 of this Application sets out a detailed consideration of this Policy in the context of the hydrological assessment of the proposed take regime. The proposed supplementary allocation is enabled by this Policy, despite the fact that it falls to be considered as a non-complying activity under the Regional Plan.</p>
<p><b>Policy 5-18: Apportioning, restricting and suspending takes in times of minimum flow</b></p> <p>When a river is at or below its minimum flow, takes from it must be managed in the following manner:</p> <ul style="list-style-type: none"> <li>(c) Supplementary takes - must cease at a flow specified in their consent conditions and that cessation flow must be higher than the Schedule C minimum flow such that the requirements of Policy 5-17(b)(i) are met.</li> <li>(d) Essential takes - The following core water allocation takes are deemed essential and must be managed in the manner described:</li> </ul>	<p>The existing Levin water supply consent enables abstraction to occur at a reduced rate of 13,000 m<sup>3</sup>/day when the river is below minimum flow. One of the key reasons for this Application is to enable the Council to reduce the times at which it needs to abstract at times of minimum flow. The proposal will enable Council to avoid exercise of this abstraction except in exceptional circumstances as detailed in Section 4.2 of the application. It is therefore considered that the proposal is consistent with Policy 5-18 of the RPS.</p>

RPS Provision	Comment/Assessment
<p>(iv) public water supply takes must be restricted to a total public water consumption calculated as follows:</p> <ul style="list-style-type: none"> <li>(A) an allocation of 250 litres per person per day for domestic needs, plus</li> <li>(B) an allocation for commercial use equal to 20% of the total allocation for domestic needs, plus</li> <li>(C) an allocation which meets the reasonable needs of those facilities and industries listed under (d)(ii) and (d)(iii) where such facilities and industries are connected to the public water supply system, plus</li> <li>(D) any allocation necessary to cater for the reasonable needs of animals that are supplied by the public water supply system, plus</li> <li>(E) an allocation for leakage equal to 15% of the total of (A) to (D) above.</li> </ul>	
<p><b>Objective 5-4: Beds of rivers and lakes</b></p> <p>The beds of rivers and lakes will be managed in a manner which:</p> <ul style="list-style-type: none"> <li>a. sustains their life supporting capacity</li> <li>b. provides for the instream morphological components of natural character</li> <li>c. recognises and provides for the Schedule B Values</li> <li>d. provides for infrastructure and flood mitigation purposes.</li> </ul> <p>The land adjacent to the bed of reaches with a Schedule B Value of Flood Control and Drainage will be managed in a manner which provides for flood mitigation purposes.</p>	<p>The proposed activities will enable the life supporting capacity of the bed of the river to be sustained, particularly in the context of the purpose of the in river activities being for human health and drinking water purposes. The potential effects of the proposed activities on the bed of the river and on the Flood Control and Drainage scheme will not be significantly adverse and is considered that this objective can be achieved in any granting of consent to the applications for activities within the river bed.</p>
<p><b>Policy 5-22: General management of the beds of rivers and lakes</b></p> <p>Activities in, on, under or over the beds of rivers and lakes must generally be managed in a manner which:</p> <ul style="list-style-type: none"> <li>a. recognises and provides for the Schedule B Values for the Water Management Sub-zone(s) in which the activity takes place, in the manner described in Policies 5-23, 5-24 and 5-25</li> <li>b. avoids any significant reduction in the ability of a river and its bed to convey flood flows, or significant impedance to the passage of floating debris</li> <li>c. avoids, remedies or mitigates any significant adverse effects on the stability and function of the beds of rivers and lakes, and existing structures including flood and erosion control structures</li> <li>d. avoids, remedies or mitigates any significant reduction in the habitat diversity, including the morphological diversity, of the river or lake or its bed</li> <li>e. manages effects on natural character and public access in accordance with the relevant policies in Chapter 6. Natural character can include the Water One Plan - 2014 5-21 natural style and dynamic processes of the river, such as</li> </ul>	

RPS Provision	Comment/Assessment
<p>bed style and width and the quality and quantity of bed habitat</p> <p>f. provides for the safe passage of fish both upstream and downstream</p> <p>g. ensures that the existing nature and extent of navigation of the river or lake are not obstructed</p> <p>h. ensures that access required for the operation, maintenance, and upgrade of infrastructure and other physical resources of regional or national importance is not obstructed</p> <p>i. provides for continued public access in accordance with Policy 6-10.</p>	
<p><b>Policy 5-24: Activities in rivers or lakes and their beds with a Value of Flood Control and Drainage</b></p> <p>In reaches of rivers or lakes and their beds with a Schedule B Value of Flood Control and Drainage, activities in, on, under or over the beds of rivers and lakes and on land adjacent to the bed where the Value is located must be managed in a manner which:</p> <p>a. enables the degree of flood hazard and erosion protection existing at the time of Plan notification (31 May 2007) to be maintained or enhanced</p> <p>b. addresses adverse effects by:</p> <ol style="list-style-type: none"> <li>in the first instance, avoiding, remedying or mitigating adverse effects on the instream morphological components of natural character and other Schedule B Values</li> <li>providing consent applicants with the option of making an offset</li> <li>allowing compensation by way of a financial contribution in accordance with the policies in Chapter 19.</li> </ol>	
<p><b>Policy 5-25: Activities in rivers or lakes and their beds with other Schedule B Values</b></p> <p>In sites with Schedule B Values other than Natural State, Sites of Significance - Cultural, Sites of Significance - Aquatic, or Flood Control and Drainage, activities in, on, under or over the beds of rivers and lakes must be managed in a manner which:</p> <ol style="list-style-type: none"> <li>in the first instance avoids, remedies or mitigates significant adverse effects on the instream morphological components of natural character and Schedule B Values</li> <li>provides consent applicants with the option of making an offset</li> <li>allows compensation by way of a financial contribution in accordance with the policies in Chapter 19.</li> </ol>	
<p><b>Policy 5-26: Essential and beneficial activities</b></p> <p>Activities in, on, under or over the beds of rivers and lakes that are essential or result in an environmental benefit must generally be allowed, including:</p>	

RPS Provision	Comment/Assessment
<p>(a) the use, maintenance and upgrading of existing infrastructure and other existing physical resources of regional or national importance</p> <p>(b) works designed to maintain or improve the stability and functionality of existing structures</p> <p>(c) the removal of derelict, unlawful or non-functional structures</p> <p>(d) the restoration or enhancement of natural habitats.</p>	
<b>Chapter 9 Natural Hazards</b>	
<p><b>Objective 9-1: Effects of natural hazard events</b></p> <p>The adverse effects of natural hazard events on people, property, infrastructure and the wellbeing of communities are avoided or mitigated.</p>	<p>Both the effects of the proposed activity on the flood hazard within the River and the effects of potential hazards on the reservoir have been considered in the development of the proposal and assessed within the application. It is considered that effects in this regard are acceptable.</p> <p>More importantly in terms of the overall effects of the proposed activities is that the proposed storage provided added resilience within the Levin Water Supply network. This will assist the Council in being able to provide a lifeline service to its community during and after natural hazards events. The sensitivity of water networks to natural hazards has been an extremely significant factor in the recent cyclone and flooding events in Aotearoa New Zealand and the ability to draw on reserves and stored supply increases resilience significantly.</p> <p>It is therefore considered that the proposal achieves this important objective.</p>

Section 104(1)(b) Any relevant provisions of -- (vi) a plan or proposed plan - Regional Plan

**Table 12.3: Regional Plan Objective and Policy Assessment**

Regional Plan Provision	Comment/Assessment
<b>Chapter 14: Discharges to Land and Water</b>	
<p>Objective 14-1: Management of discharges to land and water and land uses affecting groundwater and surface water quality</p> <p>The management of discharges onto or into land (including those that enter water) or directly into water and land use activities affecting groundwater and surface water quality in a manner that:</p> <p>a. safeguards the life supporting capacity of water and recognises and provides for the Values and management objectives in Schedule B,</p> <p>b. provides for the objectives and policies of Chapter 5 as they relate to surface water and groundwater quality, and</p>	<p>The proposed operational discharges will have minimal environmental effects, and the effects associated with discharge of sediment are well understood and can and will be managed appropriately by way of conditions of consent and management plans.</p> <p>The more directive policies of the One Plan relating to discharges are considered to be of limited relevance in the assessment and determination of this application in the sense that the discharges are drinking water related and do not introduce new contaminants into the environment, and are necessary to enable activities which clearly meet the objectives of the Regional Policy Statement and are</p>



Regional Plan Provision	Comment/Assessment
<p>c. where a discharge is onto or into land, avoids, remedies or mitigates adverse effects on surface water or groundwater.</p> <p>Policy 14-2: Consent decision-making for discharges to land When making decisions on resource consent applications, and setting consent conditions, for discharges of contaminants onto or into land the Regional Council must have regard to:</p> <ul style="list-style-type: none"> <li>(a) the objectives and policies of Chapter 5 regarding the management of groundwater quality and discharges,</li> <li>(b) where the discharge may enter surface water or have an adverse effect on surface water quality, the degree of compliance with the approach for managing surface water quality set out in Chapter 5,</li> <li>(c) avoiding as far as reasonably practicable any adverse effects on any sensitive receiving environment or potentially incompatible land uses, in particular any residential buildings, educational facilities, churches, marae, public areas, infrastructure and other physical resources of regional or national importance identified in Policy 3-1, wetlands, surface water bodies and the coastal marine area,</li> <li>(d) the appropriateness of adopting the best practicable option to prevent or minimise adverse effects in circumstances where: <ul style="list-style-type: none"> <li>(i) it is difficult to establish discharge parameters for a particular discharge that give effect to the management approaches for water quality and discharges set out in Chapter 5,</li> <li>(ii) the potential adverse effects are likely to be minor, and the costs associated with adopting the best practicable option are small in comparison to the costs of investigating the likely effects on land and water,</li> </ul> </li> <li>(e) avoiding discharges which contain any persistent contaminants that are likely to accumulate in the soil or groundwater, and</li> <li>(f) the objectives and policies of Chapters 2, 3, 6, 9 and 12 to the extent that they are relevant to the discharge.</li> </ul>	<p>consistent with its provisions. The proposal has been developed so as to as far as reasonably practicable avoid effects on sensitive environments, and to remedy or mitigate any on-going effects in the river.</p> <p>It is considered that the proposed discharges are consistent with the water quality provisions of the regional plan.</p> <p>An assessment of the Application with regard to the NPSFM is included in another section of the Application.</p>
<p>Policy 14-4: Options for discharges to surface water and land</p> <p>When applying for consents and making decisions on consent applications for discharges of contaminants into water or onto or into land, the opportunity to utilise alternative discharge options, or a mix of discharge regimes, for the purpose of mitigating adverse effects, applying the best practicable option, must be considered, including but not limited to:</p>	

Regional Plan Provision	Comment/Assessment
<ul style="list-style-type: none"> <li>(a) discharging contaminants onto or into land as an alternative to discharging contaminants into water,</li> <li>(b) withholding from discharging contaminants into surface water at times of low flow,</li> <li>(c) adopting different treatment and discharge options for different receiving environments or at different times (including different flow regimes or levels in surface water bodies).</li> </ul>	
<p><b>Policy 14-9: Consent decision making requirements from the National Policy Statement for Freshwater Management</b></p> <ul style="list-style-type: none"> <li>(a) This policy applies to any application for the following discharges (including a diffuse discharge by any person or animal): <ul style="list-style-type: none"> <li>(i) a new discharge;— of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.</li> </ul> </li> <li>(b) When considering any application for a discharge the Regional Council must have regard to the following matters: <ul style="list-style-type: none"> <li>(i) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water; and</li> <li>(ii) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.</li> </ul> <p>This clause of the policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.</p> </li> <li>(c) When considering any application for a discharge the Regional Council must have regard to the following matters: <ul style="list-style-type: none"> <li>(i) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their secondary contact with fresh water; and</li> <li>(ii) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as affected by their secondary contact with fresh water resulting from the discharge would be avoided.</li> </ul> </li> </ul>	

Regional Plan Provision	Comment/Assessment
<p>This clause of the policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect on 4 July 2014.</p>	
<b>Chapter 16: Takes, Uses and Diversions of Water and Bores</b>	
<p><b>Objective 16-1: Regulation of takes, uses and diversions of water</b></p> <p>The regulation of takes, uses and diversions of water in a manner that:</p> <ol style="list-style-type: none"> <li>recognises and provides for the Values and management objectives in Schedule B, and</li> <li>provides for the objectives and policies of Chapter 5 as they relate to surface water and groundwater use and allocation</li> </ol>	<p>The water management framework set out in the Regional Plan has been a key policy driver in the development of the proposal, and Policy 16-2 in particular. All of the relevant matters addressed within these provisions are considered in detail within this Application and it is considered that the proposal achieves the objective and is consistent with the policies.</p>
<p><b>Policies Policy 16-1: Consent decision-making for takes and uses of surface water and groundwater</b></p> <p>When making decisions on resource consent applications under s104-104D RMA, and setting consent conditions, for takes and uses of surface water or groundwater the Regional Council must:</p> <ol style="list-style-type: none"> <li>seek to avoid any adverse effects on other lawful activities, particularly on other surface water takes, including takes allowed by s14(3)(b) of the RMA, and groundwater takes from properly-constructed, efficient and fully-functioning bores (as described in Policies 16-4 and 16-5),</li> <li>enable non-consumptive uses of water including the use and recycling of water, and</li> <li>have regard to the objectives and policies of Chapters 2, 3, 5, 6, 9 and 12 to the extent that they are relevant to the activity.</li> </ol>	
<p><b>Policy 16-2: Consideration of alternative water sources</b></p> <p>When making decisions on consent applications to take surface water, the opportunity to utilise alternative sources such as groundwater, water storage, water harvesting (including during periods of high flow in a river) and the recycling of water must be considered.</p>	
<p><b>Policy 16-8: Monitoring requirements of consent holders Water takes must generally be subject to the following monitoring requirements:</b></p> <ol style="list-style-type: none"> <li>the installation of a pulse-count capable water meter on all water takes that are allowed by way of a resource consent, in order to monitor the amount of water taken</li> <li>the installation of a Regional Council compatible telemetry system on surface water takes greater than 750 m<sup>3</sup> /d, and on groundwater takes greater than 750 m<sup>3</sup> /d where the groundwater is highly interconnected with surface water</li> </ol>	

Regional Plan Provision	Comment/Assessment
<p>(c) the installation of a Regional Council compatible telemetry system on other groundwater takes greater than 4,000 m<sup>3</sup> /d</p> <p>(d) Appropriate water quality monitoring, including conductivity monitoring on groundwater takes located within 5 km of the coast, or on a nearby monitoring bore</p> <p>(e) the installation of a Regional Council compatible telemetry system on consented surface water takes where:</p> <ul style="list-style-type: none"> <li>(i) the amount of water taken, when assessed in combination with all other water takes upstream, exceeds 15% of the estimated one-day mean annual low flow, or</li> <li>(ii) the amount of water taken from a Water Management Sub-zone as identified in Schedule A exceeds 15% of the one-day mean annual low flow for that Sub-zone.</li> </ul>	
<b>Chapter 17: Activities in Artificial Watercourses, Beds of Rivers and Lakes, and Damming</b>	
<p><b>Objective 17-1: Regulation of structures and activities in artificial watercourses and in the beds of rivers and lakes, and damming.</b></p> <p>The regulation of structures and activities in artificial watercourses and in the beds of rivers and lakes, and damming, in a manner that:</p> <ul style="list-style-type: none"> <li>a. safeguards life supporting capacity, and recognises and provides for the Values and management objectives in Schedule B, and</li> <li>b. has regard to the objectives and policies of Chapter 5 that relate to structures and activities in artificial watercourses and in the beds of rivers and lakes, and damming.</li> </ul>	<p>The proposed activities will enable the life supporting capacity of the bed of the river to be sustained, particularly in the context of the purpose of the in river activities being for human health and drinking water purposes. The potential effects of the proposed activities on the bed of the river and on the Flood Control and Drainage scheme will not be significantly adverse, nor will effects on fish passage and is considered that this objective can be achieved in any granting of consent to the applications for activities within the river bed.</p>
<p><b>Objective 17-2: Fish Passage</b></p> <p>The passage of fish is maintained, or is improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.</p>	
<p>Policy 17-1: Consent decision-making for activities in, on, under or over the beds of rivers and lakes (including modified watercourses but excluding artificial watercourses) When making decisions on resource consent^ applications, and setting consent conditions, for activities in, on, under or over the bed of a river or lake (including modified watercourses but excluding artificial watercourses) the Regional Council must have regard to the extent to which the activity is consistent with best management practices,</p> <ul style="list-style-type: none"> <li>(a) seek to avoid where reasonably practicable any adverse effects on any other lawful activity in,</li> </ul>	

Regional Plan Provision	Comment/Assessment
<p>on, under or over the bed of the river or lake, including existing structures,</p> <p>(b) have regard to whether the activity is of a temporary nature or is associated with necessary maintenance work,</p> <p>(c) have regard to the objectives and policies of Chapters 2, 3, 5, 6, 9 and 12 to the extent that they are relevant to the activity, and</p> <p>(d) have regard to the matters in Policy 14-9.</p>	

#### Section 104(1)(b) Any relevant provisions of -- (vi) a plan or proposed plan - District Plan

As already described, the district council planning approvals for the project will be sought separately. The activities proposed for the Levin Water Supply Water Harvesting and Resilience Project are generally enabled under the Horowhenua District Plan network utility provisions, and not otherwise restricted due to the nature of and zoning for the site (being part of the reason for choosing the site as a first step in avoiding significant adverse effects on the environment). It is considered that there are no particular matters arising in relation to the District Plan provisions in terms of the assessment and determination of this regional consent application, and that the proposal is consistent with and achieves the intent of the objectives and policies of the District Plan.

For reference, the particular District Plan provisions considered relevant to the project are:

**Table 12.4: Relevant Objectives and Policies of the District Plan**

District Plan Provisions
<p><b>Matters of Importance to Tangata Whenua</b></p> <p><b>Objective 1.1.1 Active Participation</b></p> <p>To provide Tāngata Whenua with opportunities to actively participate in resource management processes (including decision making) on matters that have the potential to affect their cultural values and well-being.</p> <p><b>Policy 1.1.3</b></p> <p>Ensure that where relevant, the interests of Tāngata Whenua are taken into account when considering the sustainable use and development of the land, waterways, coastal areas, resources and other taonga.</p> <p><b>Policy 1.1.5</b></p> <p>Recognise the authorised and mandated Iwi representatives for the purpose of resource management engagement.</p> <p><b>Objective 1.2.1 Relationship of Tāngata Whenua</b></p> <p>To recognise and provide for the relationship of the Tāngata Whenua of Horowhenua, and their culture and traditions (including mauri), with their ancestral lands, coastal areas, waterways, heritage landscapes and cultural sites, wāhi tapu, wāhi tūpuna and other taonga.</p> <p><b>Policy 1.2.3</b></p> <p>Recognise the spiritual and cultural values held by Māori and their traditional practices in the management of natural and physical resources.</p> <p><b>Policy 1.2.5</b></p> <p>Recognise the desire of Tāngata Whenua to maintain and enhance their traditional relationship with the natural environment.</p> <p><b>Objective 1.3.1</b></p> <p>Sites of Cultural Significance</p> <p>To protect areas and sites of cultural significance, wāhi tapu, wāhi tūpuna and other taonga from the adverse effects of inappropriate subdivision, use, and development of resources.</p>

## District Plan Provisions

### Natural Hazards

#### Objective 8.1.1 Risks and Adverse Effects of Natural Hazards

The adverse effects of natural hazards on people, property, the environment and the wellbeing of communities are avoided or mitigated.

#### Policy 8.1.6

Flood hazard avoidance must be preferred to flood hazard mitigation.

#### Policy 8.1.8

Avoid, where practicable, the siting of new critical infrastructure and services within areas of significant risk from natural hazard events.

### Utilities and Energy

#### Objective 12.1.1 Network Utilities

To protect and provide for the establishment, operation, maintenance and upgrading of network utilities, while avoiding, remedying or mitigating adverse effects on the environment.

#### Policy 12.1.2

Enable the establishment, operation, maintenance and upgrading of essential network utilities.

#### Policy 12.1.3

Avoid, remedy or mitigate the adverse environmental effects arising from the establishment, construction, operation, maintenance and upgrading of network utilities.

#### Policy 12.1.5

Ensure the establishment, operation, maintenance and upgrading of network utilities does not compromise the health and safety of the community.

#### Policy 12.1.6

Consider the locational, technical and operational requirements of network utilities and the contribution they make to the functioning and well-being of the community in assessing their location, design and appearance.

Section 104(1)(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application

[Add any other matters arising during project team review and CIA process]

Section 104(3)(a)(ii) A consent authority must not, when considering an application, have regard to any effect on a person who has given written approval to the application.

[To be completed prior to lodgement if any affected party approvals are obtained/expected]

## 12.2 Particular Part 2 RMA Considerations

The Applicant does not consider that any additional Part 2 RMA matters arise in terms of the consideration, assessment and determination of the Application. It is considered that the proposal is consistent with the overall sustainable management purpose of the Act.

## 13 SUMMARY AND CONCLUSION

[Final step before lodgement, subject to outcomes of project team and treaty partner review].